



National Estuary Program

NEP

Number: 66.456

Agency: Environmental Protection Agency

Office: Office of Water

PROGRAM INFORMATION

Authorization (040):

Clean Water Act, Title 3, Section 320, Public Law 94-117, 33 U.S.C 466; Clean Water Act, Title 3, Section 320, Public Law 106-457, 33 U.S.C 466.

Objectives (050):

The National Estuary Program (NEP) goal is to protect and restore the water quality and estuarine resources of estuaries and associated watersheds designated by the EPA Administrator as estuaries of national significance. The 28 estuaries of national significance, or NEPs, use an ecosystem-based management approach to help achieve their protection and restoration goals. For example, each NEP characterizes the priority problems in its estuary and surrounding watershed, develops a long-term plan known as a Comprehensive Conservation and Management Plan (CCMP) that identifies actions to address those problems, and identifies partners, including lead entities, who will implement those actions. Implementation of CCMPs can include the following actions: protecting and restoring habitat, including wetlands; supporting water quality protection and restoration, including Total Maximum Daily Load (TMDL) plan implementation; monitoring for, assessing the extent of toxics loadings and pathogen contamination, and taking steps to address excess loadings and contamination; implementing stormwater management, reducing non-point source pollution impacts, and promoting the adoption of green infrastructure approaches; preventing the spread of aquatic invasive species and/or managing their impacts; developing and implementing nutrient reduction strategies; conducting climate vulnerability assessments and developing and implementing climate change adaptation strategies and using adaptation tools to promote coastal resilience; and developing and implementing strategies to provide opportunities for residents of urban minority and/or under-served communities to have greater access to urban waters, participate in urban ecosystem restoration, and participate in capacity-building/educational activities

Funding Priority - Fiscal Year 2017: EPA's funding priority is to award assistance agreements that support the 28 National Estuary Programs' (NEPs) efforts to address their estuarine watersheds' priority problems identified in each of the 28 long-term management plans known as Comprehensive Conservation and Management Plans (CCMPs). EPA will provide focused support for NEPs to address priority problems identified by NEP management conferences and to document accomplishments and environmental results. NEP efforts address such problems as: (1) impacts on estuarine water quality and living resources of nutrients, toxics (chemical, heavy metals), pathogen contamination, and sediment attributable to excess loadings and non-point stormwater runoff; e.g., excess nutrient loadings can result in nutrient over-enrichment and hypoxic conditions in estuarine water bodies; (2) habitat loss/degradation; (3) need to assess risks to CCMP implementation due to climate change impacts, to build regional, local, and tribal officials' capacity to address climate change impacts on NEP watersheds, and to promote community resilience; activities that build capacity include conducting vulnerability assessments of communities and local development and implementation of climate adaptation strategies and programs; and 4) need to build the capacity of local public officials and managers in estuarine communities to implement sustainable land use, green infrastructure, and low-impact development best practices.

Types of Assistance (060):

Project Grants

Uses and Use Restrictions (070):

Section 320 authorizes issuance of assistance agreements used to meet Section 320 requirements to develop and implement CCMPs. Annual workplans, which address priority actions in the CCMPs, lay out projects to be undertaken during the fiscal year. They are developed and approved by each management conference. Twenty-eight estuaries have been designated as estuaries of national significance; those 28 are: Long Island Sound, Puget Sound, Buzzards Bay, Narragansett Bay, New York-New Jersey Harbor, Delaware Bay, Delaware Inland Bays, Sarasota Bay, Galveston Bay, Santa Monica Bay, Albemarle-Pamlico Sounds, San Francisco Estuary, Casco Bay, Massachusetts Bays, Indian River Lagoon, Tampa Bay, Peconic Bay, San Juan Bay, Coastal Bend Bays, Tillamook Bay, the Barataria-Terrebonne Estuarine Complex, Piscataqua Estuary Complex, Barnegat Bay, Maryland Coastal Bays, Charlotte Harbor, Mobile Bay, Morro Bay, and Columbia River Estuary. NEPs and their partners carry out such actions as: (1) protecting and restoring habitat; (2) identifying research needs and conducting research as needed to obtain new data to address priority problems; (3) monitoring estuarine conditions to detect changes in water quality and condition of ecosystem resources; and (4) providing technical assistance to States and local communities to address impacts from nutrient over-enrichment, stormwater, sedimentation, toxics, pathogens, and aquatic invasive species; to assess vulnerability from climate change impacts; and to develop climate change adaptation strategies and tools. Assistance agreement awards under this program may involve or relate to geospatial information. Further information regarding geospatial information may be obtained by viewing the following website: <https://www.epa.gov/geospatial>.

Grant recipients and sub-recipients are encouraged to adopt and enforce policies that ban text messaging while driving company-owned or -rented vehicles or government-owned vehicles, or while driving privately-owned vehicles when on official government business or when performing any work for or on behalf of the government. Grant recipients and sub-recipients are encouraged to conduct initiatives of the type described in section 3(a) of the Federal Leadership on Reducing Text Messaging While Driving Executive Order that was signed on October 1, 2009. Generally this program makes Federal awards on a discretionary basis. For further information, please contact the Headquarters or regional office.

Eligibility Requirements (080)**Applicant Eligibility (081):**

Assistance agreements are issued only to those estuaries designated by the Administrator. The Administrator is authorized to make grants to State, interstate, and regional water pollution control agencies and entities; State coastal zone management agencies; interstate agencies; and other public and private nonprofit agencies, institutions, organizations, and individuals (Section 320(g)(1)). Profit making organizations are not eligible for grants. For certain competitive funding opportunities under this CFDA description, the Agency may limit eligibility to compete to a number or subset of eligible applicants consistent with the Agency's Assistance Agreement Competition Policy.

Beneficiary Eligibility (082):

Anyone/General Public.

Credentials/Documentation (083):

Costs will be determined in accordance with 2 CFR 200 Subpart E. 2 CFR 200, Subpart E - Cost Principles applies to this program.

Application and Award Process (090)**Preapplication Coordination (091):**

Preapplication assistance may be obtained from the appropriate EPA Regional Office. Regarding pre-application/pre-proposal assistance with respect to competitive funding opportunities under this program

description, EPA will generally specify the nature of the pre-application/pre-proposal assistance, if any, that will be available to applicants in the competitive announcement. For additional information, contact the individual(s) listed as "Information Contacts" or see Appendix IV of the Catalog. All work plans should be developed in response to the priority tasks identified in the management conference annual work plan. Work plans should also be developed in response to negotiated schedules for commitments to meet the purpose of a management conference outlined in the Act for the estuary. Each work plan will be considered by the appropriate management conference and the EPA Regional program. Environmental impact information is not required for this program. This program is eligible for coverage under E.O. 12372, "Intergovernmental Review of Federal Programs." An applicant should consult the office or official designated as the single point of contact in his or her State for more information on the process the State requires to be followed in applying for assistance, if the State has selected the program for review.

Application Procedures (092):

2 CFR 200, Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards applies to this program. The standard application forms, as furnished by the Federal agency and required by 2 CFR 200 and 1500 as applicable, must be used for this program. EPA requires final applications to be made on Standard Form 424. Requests for application kits must be submitted to the Environmental Protection Agency, Grants and Interagency Agreements Management Division, 1200 Pennsylvania Avenue, N.W., Mailcode (3903R), Washington, DC 20460 or through the appropriate EPA Regional Office listed in Appendix IV of the Catalog. Additional information on the EPA grant package can be found at:

http://www.epa.gov/ogd/grants/how_to_apply.htm. The completed application, including the final proposal approved by the estuary management committee, should be submitted to the appropriate Regional program office for processing. This program is subject to the provisions of 2 CFR 200 and 1500 as applicable. Applicants, except in limited circumstances approved by the Agency, must submit all initial applications for funding through <http://www.grants.gov>.

Award Procedure (093):

Each application is reviewed by EPA Regional Offices to determine the adequacy of the application under grant regulations and National Estuary Program objectives, including technical merit and relevance of the project. Awards are issued by the EPA Regional Offices after approval by the appropriate Division Director. For competitive awards, EPA will review and evaluate applications, proposals, and/or submissions in accordance with the terms, conditions, and criteria stated in the competitive announcement. Competitions will be conducted in accordance with EPA policies/regulations for competing assistance agreements.

Deadlines (094):

Contact the headquarters or regional office, as appropriate, for application deadlines.

Range of Approval/Disapproval Time (095):

Approximately 90 days after deadline for application submission.

Appeals (096):

Assistance agreement competition-related disputes will be resolved in accordance with the dispute resolution procedures published in 70 FR (Federal Register) 3629, 3630 (January 26, 2005). Copies of these procedures may also be requested by contacting the individual(s) listed as "Information Contacts." Disputes relating to matters other than the competitive selection of recipients will be resolved under 2 CFR 1500 Subpart E, as applicable.

Renewals (097):

Renewals are subject to approval of the individual estuary management organization. Contact the appropriate EPA Regional office for guidance.

Assistance Consideration (100)**Formula and Matching Requirements (101):**

This program has no statutory formula.

Matching Requirements: Public Law 106-457, which amended Section 320(g) of the Water Quality Act of 1987, limits the amount of grants to 75 percent of the aggregate CCMP development project costs for each estuary program and to 50 percent of the aggregate CCMP implementation project costs for each estuary program, and requires that the nonfederal share be provided from nonfederal sources. The nonfederal share can be contributed by any of the participants in the management conference. Contact the appropriate management conference program office or EPA Regional Office for more information.

This program does not have MOE requirements.

Length and Time Phasing of Assistance (102):

Assistance agreements are typically funded on a 12-month basis (yearly). Project period may cover up to 36 months, with continuations possible for certain types of projects. Payments will be on a letter of credit or advance basis. See the following for information on how assistance is awarded/released: The method of fund disbursement will be determined at the time of award.

Post Assistance Requirements (110)**Reports (111):**

EPA includes reporting requirements for grants and cooperative agreements in the terms and conditions of the agreements and in the annual NEP Funding Guidance. Agreements may require quarterly, interim, and final progress reports, and expenditure/financial, equipment, and invention reports. Specific reporting requirements are also identified in the grant regulations at 2 CFR 200 and 1500, as applicable. Program reports are required under this program. Cash reports are required under this program. Progress reports are required under this program. Expenditure reports are required under this program. Performance monitoring is required under this program.

Audits (112):

In accordance with the provisions of 2 CFR 200, Subpart F - Audit Requirements, non-Federal entities that expend financial assistance of \$750,000 or more in Federal awards will have a single or a program-specific audit conducted for that year. Non-Federal entities that expend less than \$750,000 a year in Federal awards are exempt from Federal audit requirements for that year, except as noted in 2 CFR 200.503. Grants and cooperative agreements are subject to inspections and audits by the Comptroller General of the United States, the EPA Office of Inspector General, other EPA staff, or any authorized representative of the Federal government. Reviews by the EPA Project Officer and the Grants Specialist may occur each year.

Records (113):

Financial records, including all documents to support entries on accounting records and to substantiate changes to each grant, must be kept available to personnel authorized to examine EPA grant accounts. All records must be maintained until expiration of 3 years from the date of submission of the final expenditure report. If questions still remain, such as those raised as a result of audit, related records should be retained until the matter is completely resolved.

Financial Information (120)**Account Identification (121):**

68-0108-0-1-304.

Obligations (122):

(Project Grants) FY 16 \$17,915,300; FY 17 est \$17,077,000; and FY 18 est \$0 - FY 16 \$17,915,300; FY 17 est. \$17,077,000; and FY 18 est. \$0.00.

Range and Average of Financial Assistance (123):

For FY 16, each of the NEPs received base funding in the amount of \$600,000. For FY 17, each of the NEPs received base funding in the amount of \$600,000.

Program Accomplishments (130):

Fiscal Year 2016: Maintaining high-quality habitat is one way of ensuring the health of the nation's estuaries. Since 2000, the NEPs and their partners have protected and restored over 1.5 million acres of habitat in the 28 NEP estuarine watersheds. The acreage protected and restored by the NEPs and their partners enhances the 28 NEP's capacity to support healthy populations of wildlife and near-coastal and marine organisms, including many commercially-valuable shellfish and finfish. That acreage also enhances the 28 estuarine watersheds' capacity to support the economic and ecosystem services and aesthetic qualities provided by estuarine environments and on which coastal populations depend for their livelihoods and well-being. In FY 16, the NEPs and their partners protected and restored approximately 111,584 acres of estuarine habitat in their estuarine watersheds. Fiscal Year 2017: In FY 17, grants will support the NEP's CCMP implementation by funding NEP efforts that include: protecting and restoring up to 100,000 acres of estuarine habitat; protecting and restoring estuarine water quality in NEP study areas; supporting core Clean Water Act programs like those that target stormwater, excess nutrients, and pathogens and promoting adoption of green infrastructure approaches to reduce the impacts of stormwater and non-point source pollution; conducting vulnerability assessments and/or implementing climate adaptation strategies in over 50% of NEP study areas and collaborating with other EPA programs and with agencies like the National Oceanic and Atmospheric Administration to build regional, local, and tribal coastal community resilience to impacts of climate change on coastal ecosystems, public health, and economies; building local capacity to reach out to and involve urban community residents who typically may not have had access to water bodies in NEP study areas nor have been actively engaged in urban water body protection and restoration. Since 2000, the NEPs and their partners have protected and restored over 2 million acres of habitat in the 28 NEP estuarine watersheds. Fiscal Year 2018: NA.

Regulations, Guidelines, and Literature (140):

General grant regulations and procedures (2 CFR 200 and 1500, as applicable). Federal Register, Vol. 59, 61124, November 29, 1994, Technical Amendment Financial Assistance Requirements for the National Estuary Program (40 CFR, Part 35). Saving Bays and Estuaries, a Primer for Establishing and Managing Estuary Projects, EPA/503/8-89-001, is available from the Oceans and Coastal Protection Division, Office of Wetlands, Oceans, and Watersheds (4504T) EPA, 1200 Pennsylvania Ave., NW., Washington, DC 20460. Forms and instructions for filing are included in an application kit available from the Grants and Interagency Agreements Management Division (3903R), Office of Grants and Debarment, EPA, 1200 Pennsylvania Ave., NW., Washington, DC. 20460.

Information Contacts (150)**Regional or Local Office (151) :**

See Regional Agency Offices. Office of Ecosystem Protection, EPA, Region I, 1 Congress Street, Boston, MA 02114-2023; Telephone:(617) 918-1511. Division of Environmental Planning and Protection, EPA, Region II, 290 Broadway, New York, NY 10007-1866; Telephone:(212) 637-3724. Water Protection Division, EPA, Region III, 1650 Arch Street, Philadelphia, PA 191103-2029; Telephone:(215)814-2989. Water Management Division, EPA, Region IV, 61 Forsyth St., S.W., Atlanta, GA 30303; Telephone:(404) 562-9345. Water Quality Protection Division, EPA, Region VI, 1445 Ross Ave., Dallas, TX 75202-2733; Telephone:(214) 665-7101. Water Division, EPA, Region IX, 75 Hawthorne Street, San Francisco, CA 94105; Telephone: (415)744-1860. Office of Ecosystems, Tribal, and Public Affairs; and Office of Water & Watersheds, EPA Region X, 1200 Sixth Ave., Seattle, WA 98101; Telephone:(206) 553-4181.

Headquarters Office (152):

Surabhi Shah, Surabhi Shah, Chief, Partnership Programs Branch (4504T), Oceans, Wetlands, and Communities Division, Office of Wetlands, Oceans, and Watersheds, EPA 1200 Pennsylvania Ave., Washington, DC 20460. Telephone: (202) 564-3833; FAX: (202) 566-1336; E-mail: Shah.surabhi@epa.gov

, Washington, District of Columbia 20460 Email: Shah.surabhi@epa.gov Phone: (202) 564-3833.

Website Address (153):

<https://www.epa.gov/nep>

Related Programs (160):

66.419 Water Pollution Control State, Interstate, and Tribal Program Support; 66.454 Water Quality Management Planning; 66.458 Capitalization Grants for Clean Water State Revolving Funds; 66.461 Regional Wetland Program Development Grants

Examples of Funded Projects (170):

Fiscal Year 2016: Assistance agreements awarded to states, interstate agencies, academic institutions and other nonprofit organizations to implement NEP Comprehensive Conservation and Management Plans (CCMPs). Activities associated with CCMP implementation include those that: (1) protect and restore water quality by conducting monitoring, assessing water quality conditions, implementing best management practices that help restore degraded waters to healthy conditions, and reducing loadings of pollutants like nutrients and toxics to estuarine water bodies; (2) protect and restore habitat and living resources by implementing local stormwater management programs, eradicating invasive species, removing dams that obstruct fish passage, and providing technical assistance on low-impact development practices that reduce sediment loadings to water bodies; (3) conduct climate change vulnerability assessments and develop and implement climate adaptation strategies; (4) revise CCMPs to reflect new local priorities; (5) develop annual work plans and design and maintain systems to track and report on priority action implementation, deliverables, and environmental results; (6) evaluate and report on CCMP implementation progress and environmental results; and (7) reach out to and build local capacity of urban community residents to participate in estuarine urban waters protection and restoration; those residents may not have had access to water bodies in NEP study areas nor have been actively engaged in urban water body protection and restoration. Fiscal Year 2017: Assistance agreements awarded to states, interstate agencies, academic institutions and other nonprofit organizations to implement NEP Comprehensive Conservation and Management Plans (CCMPs). Activities associated with CCMP implementation include those that: (1) protect and restore water quality by conducting monitoring, assessing water quality conditions, implementing best management practices that help restore degraded waters to healthy conditions, and reducing loadings of pollutants like nutrients and toxics to estuarine water bodies; (2) protect and restore habitat and living resources by implementing local stormwater management programs, eradicating invasive species, removing dams that obstruct fish passage, and providing technical assistance on low-impact development practices that reduce sediment loadings to water bodies; (3) conduct climate change vulnerability assessments and develop and implement climate adaptation strategies; (4) revise CCMPs to reflect new local priorities; (5) develop annual work plans and design and maintain systems to track and report on priority action implementation, deliverables, and environmental results; (6) evaluate and report on CCMP implementation progress and environmental results; and (7) reach out to and build local capacity of urban community residents to participate in estuarine urban waters protection and restoration; those residents may not have had access to water bodies in NEP study areas nor have been actively engaged in urban water body protection and restoration. Fiscal Year 2018: NA.

Criteria for Selecting Proposals (180):

The evaluation and selection criteria for competitive awards under this CFDA description will be described in the competitive announcement. Grants are awarded to the NEPs that satisfy the requirements outlined in the application procedure section.